

REMARKS

Claims 1-35 were pending in this application when the present Office Action was mailed (April 20, 2004). Claims 1, 18, 21, 24 and 30 have been cancelled, and claims 2-10, 16, 19, 25-29 and 31-35 have been amended in this paper. Accordingly, claims 2-17, 19, 20, 22, 23, 25-29 and 31-35 are currently pending.

In the Office Action mailed April 20, 2004, claims 11-15 were allowed and the remaining claims were rejected. More specifically, the status of the application in light of this Office Action is as follows:

(A) Claims 1, 2, 6, 16-20, 24-28 and 30-34 stand rejected under 35 U.S.C. § 102(b) as being clearly anticipated by U.S. Patent No. 5,495,999 to Cymara ("Cymara");

(B) Claims 1, 2, 4, 5, 7-9, 16-19, 21, 22, 24-27, 29, 30-33 and 35 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,796,840 to Heynatz ("Heynatz");

(C) Claims 10 and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cymara or Heynatz; and

(D) Claims 11-15 are allowed.

The undersigned attorney wishes to thank the Examiner for engaging in a telephone interview on May 28, 2004 to discuss the pending claims and the present Office Action. During the telephone interview, the Examiner agreed that claim 3, which was neither rejected nor allowed, would be allowed if rewritten to be in independent form. The Examiner also agreed that claim 8 would be allowed if rewritten to be in independent form and to clarify that the second actuator moves both the movable device and the first actuator. The Examiner further agreed that claim 25 would be allowed if rewritten to be in independent form. The foregoing claims have been amended to be consistent with the agreements reached between the undersigned attorney and the Examiner, and the remaining independent and dependent claims have also been amended in a manner consistent with the foregoing agreements. The following remarks accordingly summarize and expand upon the statements made during the telephone interview.

A. Response to the Section 102 Rejections on the Basis of Cymara

Of the claims rejected under Section 102 on the basis of Cymara, claims 1, 18, 24 and 30 have been cancelled and accordingly the Section 102 rejections of these claims on the basis of Cymara are now moot. Claim 2 has been amended to depend from claim 8, which in turn has been amended in accordance with the Examiner's suggestions outlined above, and is therefore allowable. Claim 6 has been amended to depend from claim 3, which in turn has also been amended in accordance with the Examiner's suggestions outlined above, and is therefore allowable. Claim 16 has been amended in a manner generally similar to that described above with reference to claim 8 and accordingly, the Section 102 rejection of claim 16 should be withdrawn. The Section 102 rejections of claims 17, 19, 20, 22 and 23, all of which depend from claim 16, should be withdrawn for the foregoing reasons and for the additional features of these dependent claims.

Claim 25 has been amended in accordance with the agreement reached between the undersigned attorney and the Examiner and therefore the Section 102 rejection of claim 25 should be withdrawn. Claims 26-28 have been amended to depend from claim 25 and accordingly, the Section 102 rejections of these claims should be withdrawn for the foregoing reasons and for the additional features of these dependent claims.

Claims 32 and 35 have been amended in manners generally similar to those described above with reference to claims 3 and 8, respectively. Accordingly, the Section 102 rejections of claims 31 and 34 (which now depend from claim 35) and claim 33 (which now depends from claim 32) should be withdrawn for the foregoing reasons and for the additional features of these dependent claims.

B. Response to the Section 102 Rejections on the Basis of Heynatz

Of the claims rejected under Section 102 on the basis of Heynatz, claims 1, 18, 21, 24 and 30 have been cancelled and accordingly the Section 102 rejections of these claims on the basis of Heynatz are now moot. The remaining claims have either been amended as discussed above so as to be allowable in light of the agreements between the Examiner and the undersigned attorney, or depend from such claims. Accordingly, the Section 102 rejections of the remaining claims (claims 2, 4, 5, 7-9, 16, 17, 19, 22, 25-27, 29, 31-33 and 35) on the basis of Heynatz should be withdrawn.

C. Response to the Section 103 Rejections of Claims 10 and 23

Claims 10 and 23 now depend from claims amended in a manner indicated by the Examiner to necessitate the withdrawal of the Section 102 rejections of those claims. As agreed to by the Examiner during the June 2 telephone interview, the independent claims from which these claims depend (claims 8 and 16, respectively) are allowable over both Cymara and Heynatz. Accordingly, dependent claims 10 and 23 should be allowable over the applied references for the foregoing reasons and for the additional features of these dependent claims.

D. Response to the Indication that Claims 11-15 are Allowed

Claims 11-15 were indicated to be allowed and have not been amended in this paper.

E. Amendment to the Specification

The Specification has been amended at paragraph 41 to insert serial numbers of pending applications referenced therein.

F. Conclusion

In view of the foregoing, the claims pending in the application comply with the requirements of 35 U.S.C. § 112 and patentably define over the applied art. A Notice of Allowance is, therefore, respectfully requested. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-3257.

Respectfully submitted,

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